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12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 Eugina Harris, individually, and on behalf
16 of all those similarly situated,

17 Plaintiff,

18 v.

19 McDonald's Corporation,

20 Defendant.

Case No. 3:20-cv-06533-RS

**DEFENDANT MCDONALD'S
CORPORATION'S NOTICE OF
MOTION AND MOTION TO
DISMISS PLAINTIFF'S FIRST
AMENDED COMPLAINT;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT
THEREOF**

Date: June 24, 2021

Time: 1:30 p.m.

Courtroom: 3, 17th Floor

28

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on June 24, 2021 at 1:30 p.m., or as soon thereafter as this matter may be heard, at the United States District Court for the Northern District of California, in Courtroom 3, located at 450 Golden Gate Avenue, San Francisco, California before the Honorable Richard Seeborg, Defendant McDonald’s Corporation will and hereby does move for an order dismissing Plaintiff Eugina Harris’s First Amended Complaint (“FAC”).

This motion is made pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure on the grounds that Plaintiff lacks standing to seek injunctive relief and the FAC fails to state a claim upon which relief can be granted.

This motion is based upon this Notice of Motion and Motion to Dismiss, the attached Memorandum of Points and Authorities, the reply papers, the pleadings on file, and such other evidence and argument as the Court may allow.

Dated: May 7, 2021

FAEGRE DRINKER BIDDLE & REATH LL

By: /s/ Sarah L. Brew

Sarah L. Brew
Tyler A. Young
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*Attorneys for Defendant
McDonald’s Corporation*

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